

**United States District Court**  
**Northern District of Illinois – CM/ECF LIVE, Ver 5.1.1 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:11-cv-06513**

Erwin v. U.S. Department of State  
Assigned to: Honorable Gary Feinerman  
Cause: 05:552 Freedom of Information Act

Date Filed: 09/16/2011  
Jury Demand: Plaintiff  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****John Erwin**

represented by **John Erwin**  
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PRO SE

V.

**Defendant****U.S. Department of State**

represented by **AUSA**  
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/16/2011	<u>1</u>	RECEIVED Complaint and 4 copies by John Erwin (ma, ) (Entered: 09/19/2011)
09/16/2011	<u>2</u>	CIVIL Cover Sheet (ma, ) (Entered: 09/19/2011)
09/16/2011	<u>3</u>	PRO SE Appearance by Plaintiff John Erwin (ma, ) (Entered: 09/19/2011)
09/16/2011	<u>4</u>	APPLICATION by Plaintiff John Erwin for leave to proceed in forma pauperis (ma, ) (Entered: 09/19/2011)
09/16/2011	<u>5</u>	MOTION by Plaintiff John Erwin for appointment of counsel (ma, ) (Entered: 09/19/2011)
09/16/2011	<u>6</u>	EXHIBITS by Plaintiff John Erwin regarding received complaint <u>1</u> (RESTRICTED) (ma, ) (Entered: 09/19/2011)
09/22/2011	<u>7</u>	MINUTE entry before Honorable Gary Feinerman: Application to proceed in forma pauperis <u>4</u> is granted. Plaintiff's motion for appointment of counsel <u>5</u> is denied. Because Plaintiff has a post-graduate education and exhibited facility in the complaint with the relevant law and facts, and because the relevant law is not complex, Plaintiff is capable of handling this litigation pro se. The Clerk of the

		Court is directed to issue summons forthwith. The U.S. Marshals are appointed to serve the defendant. Initial status hearing set for 11/28/2011 at 9:00 a.m. Initial Status Report shall be filed by 11/22/2011. Please see Judge Feinerman's web page ( <a href="http://www.ilnd.uscourts.gov">http://www.ilnd.uscourts.gov</a> , to "District Judges," to "Judge Gary Feinerman," to "Initial Status Hearings" under Case Management Procedures) for details on the initial status hearing and Initial Status Report. Mailed notice (ma,) (Entered: 09/23/2011)
09/22/2011	<u>8</u>	COMPLAINT filed by John Erwin; Jury Demand. (ma,) (Entered: 09/23/2011)
09/23/2011		SUMMONS Issued, three originals and three copies, three copies of complaint and two certified copies of minute order dated 9/22/11 to the U.S. Marshal's Office for service as to defendants U.S. Department of State, U.S. Attorney, and U.S. Attorney General (ma,) (Entered: 09/23/2011)
10/07/2011	<u>9</u>	AFFIDAVIT of Service regarding Summons Returned Executed served on United States Attorney on 10/3/11 (ma, ) (Entered: 10/12/2011)
10/20/2011	<u>10</u>	AFFIDAVIT of Service regarding Summons Returned Executed served on U.S. Attorney General on 10/11/11 (ma, ) (Entered: 10/21/2011)
11/22/2011	<u>11</u>	STATUS Report by John Erwin (Erwin, John) (Entered: 11/22/2011)
11/22/2011	<u>12</u>	MINUTE entry before Honorable Gary Feinerman:By agreement of the parties, initial status hearing scheduled for 11/28/2011 <u>7</u> is stricken and re-set 1/5/2012 at 9:00 a.m. Initial joint status report shall be filed by 12/29/2011.Mailed notice. (jlj) (Entered: 11/22/2011)
11/28/2011	<u>13</u>	MINUTE entry before Honorable Gary Feinerman:Plaintiff is ordered to show cause, by 12/12/2011, why the exhibits to the complaint <u>6</u> should not be unsealed. Plaintiff may discharge the order to show cause by filing an appropriate motion to maintain the exhibits under seal.Mailed notice. (jlj) (Entered: 11/28/2011)
11/29/2011	<u>14</u>	MOTION by Plaintiff John Erwin to seal document <i>EXHIBITS B &amp; F</i> (Erwin, John) (Entered: 11/29/2011)
11/29/2011	<u>15</u>	NOTICE of Motion by John Erwin for presentment of motion to seal document <u>14</u> before Honorable Gary Feinerman on 12/5/2011 at 09:00 AM. (Erwin, John) (Entered: 11/29/2011)
11/29/2011	<u>16</u>	DESIGNATION of Harpreet Kaur Chahal as U.S. Attorney for Defendant U.S. Department of State (Chahal, Harpreet) (Entered: 11/29/2011)
11/29/2011	<u>17</u>	SUMMONS Returned Executed as to U.S. Department of State served on 10/7/2011, answer due 12/6/2011 (ma,) (Entered: 12/01/2011)
12/01/2011	<u>18</u>	MINUTE entry before Honorable Gary Feinerman:Motion to seal documents <u>14</u> is granted in part, denied in part, and reserved in part. Plaintiff shall re-file the exhibits to his complaint <u>6</u> as a publicly available document. Exhibits A, C, D, and E should have no redactions. The personal identifiers in Exhibit B (Social Security number, date of birth, place of birth, passport numbers) may be redacted. Exhibit F may be redacted in its entirety for the time being. When Defendant appears, it shall file a pleading addressing whether Exhibit F should remain under seal in its entirety, in part, or not at all. Motion hearing scheduled for 12/5/2011 <u>15</u> is stricken.Mailed notice. (jlj) (Entered: 12/01/2011)
12/02/2011	<u>19</u>	EXHIBIT by Plaintiff John Erwin <i>Exhibits A-F</i> regarding exhibit <u>6</u> (Erwin, John) (Entered: 12/02/2011)
12/21/2011	<u>20</u>	MOTION by Defendant U.S. Department of State for extension of time to file answer (Chahal, Harpreet) (Entered: 12/21/2011)
12/22/2011	<u>21</u>	RESPONSE by John Erwin to MOTION by Defendant U.S. Department of State for extension of time to file answer <u>20</u> (Erwin, John) (Entered: 12/22/2011)
12/29/2011	<u>22</u>	STATUS Report by John Erwin (Erwin, John) (Entered: 12/29/2011)
12/30/2011	<u>23</u>	MINUTE entry before Honorable Gary Feinerman:Status hearing scheduled for 1/5/2012 at 9:00 a.m. <u>12</u> is re-set for 9:30 a.m.Mailed notice. (jlj) (Entered: 12/30/2011)

		12/30/2011)
01/05/2012	<u>24</u>	MINUTE entry before Honorable Gary Feinerman:Status hearing held and continued to 3/8/2012 at 9:00 a.m. Defendant's motion to extend time to file answer <u>20</u> is granted. Defendant shall answer or otherwise plead to the complaint by 2/20/2012. No further extensions will be allowed absent extraordinary circumstances. The parties have agreed that Exhibit F will remain redacted. Discovery is stayed pending further order of court.Mailed notice. (jlj) (Entered: 01/06/2012)
02/17/2012	<u>25</u>	ANSWER to Complaint by U.S. Department of State(Chahal, Harpreet) (Entered: 02/17/2012)
02/21/2012	<u>26</u>	STATUS Report <i>March 8, 2012, 9 AM</i> by John Erwin (Erwin, John) (Entered: 02/21/2012)
02/21/2012	<u>27</u>	MOTION by Plaintiff John Erwin to compel (Attachments: # <u>1</u> Exhibit Exhibits A-B, # <u>2</u> Exhibit Exhibit C (1 of 2), # <u>3</u> Exhibit Exhibit C (2 of 2))(Erwin, John) (Entered: 02/21/2012)
03/08/2012	<u>28</u>	MINUTE entry before Honorable Gary Feinerman:Status hearing held and continued to 4/16/2012 at 9:00 a.m. Plaintiff's motion to compel <u>27</u> is entered and continued to 4/16/2012 at 9:00 a.m. Defendant to file summary judgment motion by 4/9/2012.Mailed notice. (jlj) (Entered: 03/08/2012)
04/04/2012	<u>29</u>	MOTION by Defendant U.S. Department of State for extension of time to file <i>motion for summary judgment</i> (Attachments: # <u>1</u> Declaration)(Chahal, Harpreet) (Entered: 04/04/2012)
04/04/2012	<u>30</u>	NOTICE of Motion by Harpreet Kaur Chahal for presentment of motion for extension of time to file <u>29</u> before Honorable Gary Feinerman on 4/10/2012 at 09:00 AM. (Chahal, Harpreet) (Entered: 04/04/2012)
04/05/2012	<u>31</u>	MOTION by Plaintiff John Erwin for extension of time to file response/reply as to motion for extension of time to file <u>29</u> <i>Plaintiff's Response to Defendant's Motion to Extend Time</i> (Erwin, John) (Entered: 04/05/2012)
04/06/2012	<u>32</u>	MINUTE entry before Honorable Gary Feinerman:Motion for extension of time to file motion for summary judgment <u>29</u> is granted in part and denied in part. Given Plaintiff's representation <u>31</u> that only one FOIA request (rather than nine) is at issue, the time for Defendant to file its summary judgment motion is extended to 5/7/2012. Document <u>31</u> is termed as a motion. Status hearing scheduled for 4/16/2012 <u>28</u> is stricken and re-set for 5/10/2012 at 9:30 a.m. Motion hearing scheduled for 4/10/2012 <u>30</u> is stricken.Mailed notice. (jlj) (Entered: 04/06/2012)
05/07/2012	<u>33</u>	MOTION by Defendant U.S. Department of State for summary judgment (Chahal, Harpreet) (Entered: 05/07/2012)
05/07/2012	<u>34</u>	MEMORANDUM by U.S. Department of State in support of motion for summary judgment <u>33</u> (Chahal, Harpreet) (Entered: 05/07/2012)
05/07/2012	<u>35</u>	RULE 56 1 Statement by U.S. Department of State regarding motion for summary judgment <u>33</u> (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> Declaration, # <u>4</u> Declaration, # <u>5</u> Declaration)(Chahal, Harpreet) (Entered: 05/07/2012)
05/07/2012	<u>36</u>	RULE 56 2 Statement by U.S. Department of State regarding motion for summary judgment <u>33</u> <i>Notice to Pro Se Litigant</i> (Chahal, Harpreet) (Entered: 05/07/2012)
05/07/2012	<u>37</u>	NOTICE of Motion by Harpreet Kaur Chahal for presentment of motion for summary judgment <u>33</u> before Honorable Gary Feinerman on 5/22/2012 at 09:00 AM. (Chahal, Harpreet) (Entered: 05/07/2012)
05/09/2012	<u>38</u>	RESPONSE by Plaintiff John Erwin to memorandum in support of motion <u>34</u> <i>Response to Defendant's Motion for Summary Judgment</i> (Erwin, John) (Entered: 05/09/2012)
05/09/2012	<u>39</u>	MINUTE entry before Honorable Gary Feinerman: Status hearing scheduled for 5/10/2012 <u>32</u> is stricken and re-set for 5/22/2012 at 9:00 a.m.Mailed notice. (jlj) (Entered: 05/09/2012)

05/17/2012	<u>40</u>	MOTION by Defendant U.S. Department of State to withdraw <i>exhibit related to summary judgment</i> (Chahal, Harpreet) (Entered: 05/17/2012)
05/17/2012	<u>41</u>	NOTICE of Motion by Harpreet Kaur Chahal for presentment of motion to withdraw <u>40</u> before Honorable Gary Feinerman on 5/22/2012 at 09:00 AM. (Chahal, Harpreet) (Entered: 05/17/2012)
05/22/2012	<u>42</u>	MINUTE entry before Honorable Gary Feinerman:Status hearing held and continued to 7/17/2012 at 9:00 a.m. Motion hearing held. Defendant's motion for summary judgment <u>33</u> is entered and continued. Defendant shall file its reply in support of its summary judgment motion by 5/30/2012. Motion to withdraw exhibit filed in support of motion for summary judgment <u>40</u> is granted. Defendant shall file a substitute exhibit by 5/25/2012.Mailed notice. (jlj) (Entered: 05/22/2012)
05/25/2012	<u>43</u>	Redacted Exhibit by U.S. Department of State (Chahal, Harpreet) (Entered: 05/25/2012)
05/30/2012	<u>44</u>	MOTION by Defendant U.S. Department of State for extension of time to file <i>REPLY BRIEF ISO SUMMARY JUDGMENT</i> (Chahal, Harpreet) (Entered: 05/30/2012)
05/30/2012	<u>45</u>	NOTICE of Motion by Harpreet Kaur Chahal for presentment of motion for extension of time to file <u>44</u> before Honorable Gary Feinerman on 6/5/2012 at 09:00 AM. (Chahal, Harpreet) (Entered: 05/30/2012)
05/30/2012	<u>46</u>	RESPONSE by John Erwinin Opposition to MOTION by Defendant U.S. Department of State for extension of time to file <i>REPLY BRIEF ISO SUMMARY JUDGMENT</i> <u>44</u> (Erwin, John) (Entered: 05/30/2012)
05/31/2012	<u>47</u>	MINUTE entry before Honorable Gary Feinerman:Motion for extension of time to file reply brief in support of summary judgment <u>44</u> is granted. The time for Defendant to file its reply brief is extended to 6/13/2012. Motion hearing scheduled for 6/5/2012 <u>45</u> is stricken.Mailed notice. (jlj) (Entered: 05/31/2012)
06/13/2012	<u>48</u>	REPLY brief by Defendant in support of motion for summary judgment <u>33</u> (Attachments: # <u>1</u> Exhibit Affidavit of Jason Mehta) (Chahal, Harpreet) (Docket text modified by clerk's office) (vmj, ). (Entered: 06/13/2012)
06/14/2012	<u>49</u>	REPLY by John Erwin to reply <u>48</u> (Attachments: # <u>1</u> Exhibit EXHIBIT A, # <u>2</u> Exhibit EXHIBIT B)(Erwin, John) (Entered: 06/14/2012)
07/13/2012	<u>50</u>	MINUTE entry before Honorable Gary Feinerman: Status hearing scheduled for 7/17/2012 <u>42</u> is stricken and re-set for 8/21/2012 at 9:00 a.m.Mailed notice. (jlj) (Entered: 07/13/2012)
08/16/2012	<u>51</u>	MINUTE entry before Honorable Gary Feinerman: On the Court's own motion, status hearing set for 8/21/2012 is stricken and re-set to 9/18/2012 at 9:00 A.M. Mailed notice by judge's staff. (srb,) (Entered: 08/16/2012)
09/12/2012	<u>52</u>	MINUTE entry before Honorable Gary Feinerman: Status hearing scheduled for 9/18/2012 <u>51</u> is stricken and re-set for 10/22/2012 at 9:00 a.m.Mailed notice. (jlj) (Entered: 09/12/2012)
10/03/2012	<u>53</u>	MINUTE entry before Honorable Gary Feinerman: Status hearing scheduled for 10/22/2012 <u>52</u> at 9:00 a.m. is re-set for 9:30 a.m.Mailed notice. (jlj) (Entered: 10/03/2012)
10/18/2012	<u>54</u>	MINUTE entry before Honorable Gary Feinerman: Status hearing scheduled for 10/22/2012 <u>53</u> is stricken and re-set for 11/27/2012 at 9:30 a.m.Mailed notice. (jlj) (Entered: 10/18/2012)
11/21/2012	<u>55</u>	MINUTE entry before Honorable Gary Feinerman: Status hearing set for 11/27/2012 is stricken and reset to 12/20/2012 at 09:00 AM.Mailed notice (ldg, ) (Entered: 11/21/2012)